

BYLAWS

OF THE

LONGVIEW METROPOLITAN PLANNING ORGANIZATION



Adopted by the Longview Metropolitan Planning Organization Policy Board 11/13/2007
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Article I

INTRODUCTION

The Longview Metropolitan Planning Organization (MPO), acting through the City of Longview Planning Department, is responsible for coordinated, comprehensive, and continuing transportation planning in the Longview Metropolitan Area in accordance with Section 134, Title 23, United States Code (23 USC 134) and applicable federal and state regulations, as amended. The Longview Metropolitan Area encompasses the cities of Longview and White Oak, portions of Gregg County and western Harrison County.

The metropolitan planning process is focused on improvements to these types of transportation projects: major streets and highways, traffic operations, public transportation, pedestrian and bicycle transportation, as well as the maintenance of the existing transportation system. Urban transportation planning includes a long-range perspective, a short-range view, and a mechanism for linking the two. The MPO produces a series of plans and programs that help facilitate the transportation planning process. They include, but are not limited to, the Metropolitan Transportation Plan, the Transportation Improvement Program, the Unified Planning Work Program, the Annual Project Listing, and the Public Participation Plan. The long-term transportation, known as the Metropolitan Transportation Plan, is Longview's strategy to respond to the transportation needs of the area for the next twenty-five years. The short-term plan, called the Transportation Improvement Program, identifies and schedules transportation projects to be implemented within four years. The Unified Planning Work Program describes and schedules transportation planning activities to be undertaken by the MPO staff for a two-year period. The Public Participation Plan is set of procedures designed to provide every opportunity for the involvement of citizens in the transportation planning process. These plans and programs will lead to the development and operation of an integrated, intermodal transportation system that safely and securely facilitates the efficient and economic movement of goods and people.

The Longview MPO is comprised of three committees: the Citizens Advisory Committee, which provides citizen input into the transportation planning process, the Technical Committee which provides technical analysis and review and the Policy Board which is the top-level transportation planning committee, which provides review and policy guidance for transportation planning efforts in the Longview Metropolitan Area. These bylaws will govern the actions of the MPO Policy Board and committees.

Article II

POLICY BOARD

The Metropolitan Planning Organization is governed by the Policy Board which provides both review and policy guidance for transportation planning efforts in the Longview Metropolitan Area.

Membership – Voting Members

The Policy Board is chaired by the Mayor of the City of Longview, and includes:

- Mayor of White Oak
- Gregg County Judge
- Harrison County Commissioner for western Harrison County
- Longview City Manager
- Texas Department of Transportation Tyler District Engineer
- Texas Department of Transportation Atlanta District Engineer
- Longview Director of Development Services
- Longview Director of Public Works

Voting members of the Policy Board can assume the duties of the Chair in the absence of the Chair.

Membership – Non-Voting Members

The Policy Board includes, as non-voting members:

- State Representative, 7th District of Texas, representing Gregg County,
- State Representative, 5th District of Texas, representing Harrison County,
- and one representative from the following agencies:
 - Federal Highway Administration
 - Texas Department of Transportation
 - Texas Commission on Environmental Quality

Term

Voting and non-voting members shall serve on the Policy Board as long as they hold their job or their position as an elected official.

Member Proxy

The Policy Board member may designate a proxy to exercise some or all of that member's authority. The proxy will count toward a quorum and may vote on any matter authorized by the member designating the proxy. A written notice from the designating member with the proxy's name and voting authority shall be kept on file by the Metropolitan Planning Organization (MPO) Director.

Proxies will be allowed only twice during a calendar year for each Policy Board member.

Quorum and Voting

Fifty one percent (51%) of the total voting members and proxies in attendance shall constitute a quorum for transaction of business at all meetings. A majority vote of the quorum will be sufficient to authorize action. Each member shall have one (1) vote. If a quorum cannot be obtained, the Chair may adjourn the meeting or invite the discussion of the items on the agenda, however, no action shall be taken.

Frequency of Meetings

This committee shall meet as necessary to perform its functions. Typically, these meetings are held quarterly.

Methods of Calling Meetings

Meetings of the Policy Board may be called by the MPO Director, the Chair or any five members of the Policy Board as a group may call a meeting by written request to the Chairman or the MPO director. Once a meeting not initiated by the MPO Director has been called, the MPO Director will be advised as soon as possible.

Meeting Notices

The MPO Director shall be responsible for notifying committee members and the public of the date, time, place and agenda items for the meetings. All meetings are to be held as public meetings and shall be posted at the appropriate government offices at least seventy-two (72) hours prior to the meeting.

Meeting Minutes

MPO staff shall be responsible for composing the Policy Board meeting minutes. The meeting minutes will be formally adopted by the Policy Board.

Conflict of Interest

A Policy Board member is considered to be a local public official for the purposes of Chapter 171, Local Government Code. Members must abstain from voting if he or she has substantial interest in a business entity that would be affected by a vote or decision of the Policy Board. If a Policy Board member must abstain from participation in a vote or decision under Chapter 171, Local Government Code, that member must file an affidavit required under Section 171.004, Local Government Code.

Article III

TECHNICAL COMMITTEE

The Technical Committee shall have the following responsibilities:

1. Provide technical assistance to the MPO staff in developing, preparing and reviewing the Unified Planning Work Program, the Transportation Improvement Program, the Metropolitan Transportation Plan (MTP) and other documents as required by state or federal law for the Longview Metropolitan Area and recommend their adoption to the Policy Board.
2. Advise the Policy Board on technical and policy matters with accompanying recommendations and supporting rationale.
3. Conduct a complete review and, if necessary, revisions, of all elements of the MTP at approximate five-year intervals.
4. Review studies related to transportation within the study area and make recommendations to the Policy Board and other agencies.

Members of the Technical Committee include:

City of Longview Director of Development
City of Longview Director of Public Works
Longview City Engineer
City of Longview City Planner
Senior Transportation Planner (MPO Planning Director)
City of White Oak Director of Development
Texas Department of Transportation (TxDOT), Atlanta & Tyler District's
Director of Planning and Programming
TxDOT, Atlanta & Tyler District's District Liaisons
TxDOT, Atlanta & Tyler District's District Transportation Planning &
Programming Field Representative
TxDOT, Longview Area office
Gregg and Harrison County Engineers
North East Texas Regional Mobility representative
Federal Highway Administration District representative
Federal Transit Administration regional representative
East Texas Council of Governments Director of Regional and
Development Services
Texas Commission on Environmental Quality Transportation Coordinator

The MPO Director or his/her designee shall preside at all meetings of the Technical Committee and shall vote only as necessary to cast the deciding vote in case of a tie.

Frequency of Meetings

The Technical Committee shall meet as necessary in order for the committee to perform its functions. Meetings may be called by either the MPO Director or any five members as a group may call a meeting by written request to the MPO Director.

Meeting Agenda, Notices and Location

The Metropolitan Planning Organization (MPO) Director shall be responsible for establishing the meeting agenda and notice and setting the date, time and place for said meeting. The MPO Director is responsible for notifying every member of the Technical Committee of the aforementioned responsibilities no later than one (1) week prior to the meeting.

Article IV

CITIZENS ADVISORY COMMITTEE

A Citizens Advisory Committee was instituted in 1993. One member is appointed by each of the nine voting Policy Board members. A second member may be appointed by each of the nine voting Policy Board members. The Citizens Advisory Committee assists in soliciting public input, publicizing plans and programs, and reviewing issues affecting the MPO community.

Frequency of Meetings

The Citizens Advisory Committee shall meet as necessary. Meetings are called by the MPO Director or any five members as a group may call a meeting by written request to the MPO Director.

Meeting Agenda, Notices and Location

The MPO Director shall be responsible for establishing the meeting agenda and notice and setting the date, time and place for said meeting. The MPO Director is responsible for notifying every member of the Citizens Advisory Committee of the aforementioned responsibilities no later than one (1) week prior to the meeting.

Attendance

If a member of the Citizens Advisory Committee misses three consecutive meetings scheduled during a calendar year, the MPO Director may contact the Policy Board to request an additional committee member.

Article V

MPO DIRECTOR AND STAFF

The personnel who will perform the day to day technical and administrative operations of the Longview Metropolitan Planning Organization (MPO) consist of an MPO Director, a Transportation Planner and a Planning Technician. The MPO Director and staff will:

1. Coordinate the duties of all MPO staff as identified in the Unified Planning Work Program.
2. Maintain necessary staff to continually execute the transportation planning process.
3. Assure compliance with the federal and state transportation planning regulations by providing reports and certifications to the sponsoring organizations.
4. Develop and revise, with cooperation of Texas Department of Transportation (TxDOT) and other participants in MPO activities, the Metropolitan Transportation Plan, the Transportation Improvement Program, the Unified Planning Work Program and other reports or documents as required by state or federal law for the Longview Metropolitan Area and obtain their approval.
5. Prepare billing statements and submit them to TxDOT and the City of Longview for reimbursement of expenditures.
6. Prepare an Annual Performance and Expenditure Report
7. Assist in the preparation of applications for Statewide Transportation Enhancement Programs, Recreational Trails Grants and other appropriate programs.
8. Take direction from and report to the Policy Board
9. Provide staff support for the Policy Board and the Technical Committee.

Article VI

ETHICS POLICY

In accordance with Senate Bill 585 amending section 472.034, Transportation Code, State of Texas, an ethics policy will establish standards of conduct. The purpose of the ethics policy is to prevent a Metropolitan Planning Organization (MPO) Policy Board member or employee of the MPO from having a conflict of interest in business before the metropolitan planning organization.

A policy board member or employee of a metropolitan planning organization may not:

1. accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct;
2. accept other employment or engage in business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position;
3. accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties;
4. make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or
5. intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor of another.

An employee of a metropolitan planning organization who violates Subsection (a) or an ethics policy adopted under Subsection (c) is subject to termination of the employee's employment or another employment-related sanction. Notwithstanding this subsection, a policy board member or employee of the metropolitan planning organization who violates Subsection (a) is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.

Metropolitan Planning Organization staff will distribute a copy of the ethics policy to; each new employee not later than the third business day after the date

the person begins employment with the agency; and each new policy board member not later than the third business day after the date the person qualifies for office.

If a person with knowledge of a violation of an ethics policy established under Subsection (c) that also constitutes a criminal offense under another law of this state reports the violation to an appropriate prosecuting attorney who concludes that there is reasonable basis to initiate an investigation, then, not later than the 60th day after the date a person notifies the prosecuting attorney shall notify the Texas Ethics Commission of the status of the prosecuting attorney's investigation of the alleged violation. The Texas Ethics Commission shall, on the request of the prosecuting attorney, assist the prosecuting attorney in investigating the alleged violation.


To the extent an employee of a metropolitan planning organization is subject to the ethics policy of another governmental entity and to the extent that policy conflicts with this section, the ethics policy of the other governmental entity prevails.

Article VII

AMENDMENT OF BYLAWS

These bylaws may be amended by a majority affirmative vote of the Policy Board at any meeting of the members, provided that official notice of the proposed amendment is included in the meeting notice.

ADOPTED AND APPROVED by the Longview Metropolitan Planning Organization Policy Board on the 12th day of November 2009.



Mayor Jay Dean, Chairman
Longview Metropolitan Planning Organization



Karen Owen, MPO Director
Longview Metropolitan Planning Organization